



WILLIAM T FUJIOKA  
Chief Executive Officer

County of Los Angeles  
**CHIEF EXECUTIVE OFFICE**

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

*"To Enrich Lives Through Effective And Caring Service"*

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July 30, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

25 July 30, 2013

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**DEPARTMENT OF PUBLIC WORKS:  
GENERAL WILLIAM J. FOX AIRFIELD  
PERIMETER FENCING REPLACEMENT PROJECT  
ADOPT, ADVERTISE, AND AWARD  
CAPITAL PROJECT NO. 88745  
(FIFTH DISTRICT)  
(3 VOTES)**

**SUBJECT**

Approval of the recommended actions will adopt plans and specifications, allow advertising for construction bids, and delegate authority to the Director of Public Works, or her designee, to award and execute a construction contract for the General William J. Fox Airfield Perimeter Fencing Replacement Project, in the City of Lancaster.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the General William J. Fox Airfield Perimeter Fencing Replacement Project has designated the wireless vehicular gate access controllers by specific brand name to match the gate access controller network at other County airports.
2. Adopt plans and specifications that are on file with the Department of Public Works for the General William J. Fox Airfield Perimeter Fencing Replacement Project, Capital Project No. 88745, with an estimated construction cost of \$2,200,000.
3. Instruct the Executive Officer of the Board of Supervisors to advertise the General William J. Fox Airfield Perimeter Fencing Replacement Project for construction bids to be received and opened on

August 27, 2013, in accordance with the Instruction Sheet for Publishing Legal Advertisement.

4. Authorize the Director of Public Works, or her designee, to award and execute a construction contract with the apparent Lowest Responsive and Responsible Bidder, approve the Faithful Performance and Labor and Material Bonds and insurance certificate submitted by the Lowest Responsive and Responsible Bidder, and authorize the Director of Public Works, or her designee, to deliver the Project.

5. Delegate to the Director of Public Works, or her designee, to undertake the following actions for the General William J. Fox Airfield Perimeter Fencing Replacement Project: (1) to approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) to allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) to accept the Project upon its final completion; (4) to release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) to extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to adopt plans and specifications, allow advertising for construction bids, delegate authority to the Director of Public Works, or her designee, to award and execute a construction contract to complete the General William J. Fox Airfield Perimeter Fencing Replacement Project (Project). The Department of Public Works (Public Works) recommends delegating authority to the Director of Public Works to award the construction contract to the Lowest Responsive and Responsible Bidder, because the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant Agreement must be executed within one week of determination of the Lowest Responsive and Responsible Bidder in order to receive the AIP Grant funds.

On February 15, 2011, the Board approved the Project and authorized the Director of Public Works, or her designee, to apply for an FAA Grant; and on June 18, 2013, the Board approved an increase to the FAA AIP Grant application, and accepted the FAA AIP Grant; and to apply for and accept a State of California Department of Transportation (Caltrans) California Aid to Airports Program (CAAP) AIP Matching Grant. The FAA awards grants based on bid offers; therefore, the next step is to solicit construction bids by advertising the Project. If the lowest responsive and responsible bid exceeds the Board-approved Project budget, Public Works will return to the Board to recommend adoption of a revised Project budget.

The State of California Public Contract Code, Section 3400, allows a product to be designated by specific brand name for several purposes, one of which is to match other products in use on a completed public improvement, if the awarding authority makes a finding and language is included in the invitation for bids. The Project requires a specific brand name gate access controller to match the gate access controller network at other County airports to allow for universal access, which will be designated in the invitation for bids.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1), Fiscal Sustainability (Goal 2), and Integrated Services Delivery (Goal 3). The recommended actions will

help achieve these goals by providing an improved facility to accommodate airport customers, support quality public works infrastructure services to the surrounding communities, and use grant funds from an outside source to supplement the County of Los Angeles' expenditures.

### **FISCAL IMPACT/FINANCING**

On June 18, 2013, the Board approved the Project with a total Project cost estimate of \$2,800,000, as detailed in the Project Summary in Attachment I, which includes construction, change order allowance, material testing, topographic surveying, engineering design, construction inspection, and Project administration.

The anticipated FAA AIP Grant of \$2,520,000 will reimburse a minimum of 90 percent of the total Project cost. The Caltrans CAAP AIP Matching Grant will fund \$126,000, which equates to a maximum of 5 percent of the FAA AIP Grant amount and the remaining \$154,000 will be funded by Public Works Aviation Enterprise Fund (M02 Enterprise Fund).

There will be no impact to the County General Fund.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Project is part of Public Works' ongoing program for the operation, maintenance, and repair of airports. It will be advertised in accordance with Section 20125 of the State Public Contract Code.

Award of the construction contract will not result in unauthorized disclosure of confidential information. A standard contract, in a form previously approved by County Counsel will be used. The contract will contain terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

Applicable law, including the State Public Contract Code requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which is defined as the firm that: (1) submits the lowest-cost bid; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by demonstrating the attribute of trustworthiness, as well as quality, fitness, capacity, and experience, to satisfactorily perform the work required under the bid solicitation.

To ensure that the contract is awarded to the Lowest Responsive and Responsible Bidder with a satisfactory history of performance, Bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The Project specifications contain provisions requiring the Bidder to report solicitations of improper consideration of County employees and allowing the County to terminate the contract if it is found that the Bidder offered or gave improper consideration to County employees.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for the Project and are on file with the Construction Division of Public Works.

### **ENVIRONMENTAL DOCUMENTATION**

On February 15, 2011, the Board found the Project categorically exempt from the California Environmental Quality Act because the Project consists of replacement of existing structures and will have the same purpose and capacity as the structure replaced. There have been no changes to the Project since the Board found it to be exempt.

### **CONTRACTING PROCESS**

The Project will be contracted on an open-competitive bid basis. A recommendation for award by the Director of Public Works, or her designee, will be made upon review of the bids meeting the criteria established by the Board and the State Public Contract Code. The County Local Small Business Enterprise preference will not be applied to the determination of the Lowest Responsive and Responsible Bidder. To be eligible for the Federal funds financing the majority of this Project, Title 49, Code of Federal Regulations requires award to the lowest bidder.

Advertising for construction bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Attachment II).

The Project will be listed on the County's "Doing Business with Us" website to increase contractor awareness of Public Works' program to contract work out to the private sector.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The Project will have a positive impact for airport customers and the surrounding communities by providing an improved and more accommodating facility.

### **CONCLUSION**

Please return one adopted copy of this Board letter to the Chief Executive Office, Facilities and Asset Management Division; and to the Department of Public Works, Aviation Division.

The Honorable Board of Supervisors

7/30/2013

Page 5

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. T. Fujioka', with a long horizontal line extending to the right.

WILLIAM T FUJIOKA

Chief Executive Officer

WTF: RLR:DJT

SW:VM:zu

Enclosures

c: Executive Office, Board of Supervisors  
County Counsel  
Public Works

**DEPARTMENT OF PUBLIC WORKS:**  
**GENERAL WILLIAM J. FOX AIRFIELD PERIMETER FENCING REPLACEMENT**  
**CAPITAL PROJECT NO. 88745**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Proposed Completion Date</b>
Advertise for Construction Bids	August 2013
Submit Grant Application to the FAA	September 2013
Receive FAA Grant Award	October 2013
Award Construction Contract	December 2013
Construction Start	February 2013
Final Acceptance	May 2014

## II. PROJECT BUDGET SUMMARY

	Adopted Project Budget
<b>Construction</b>	
Low Bid Construction Contract	\$2,300,000
Job Order Contract	0
Change Orders	230,000
Departmental Crafts	0
Youth Employment	0
Construction Consultants	0
Misc. Expense - Inspections	0
Telecomm Equip – Affixed to Building	0
Civic Arts	0
Subtotal	\$2,530,000
<b>Consultant Services</b>	
Site Planning	0
Hazardous Materials	0
Geotech/Soils Report and Soils Testing	0
Material Testing	0
Cost Estimating	0
Topographic Surveys	\$10,000
Construction Management	0
Construction Administration	0
Environmental	0
Move Management	0
Equipment Planning	0
Legal	0
Construction/Change Order	0
Other: Design Engineering	100,000
Subtotal	\$110,000
<b>County Services</b>	
Code Compliance Inspection	0
Quality Control Inspection	0
Design Review	\$10,000
Design Services	0
Contract Administration	0
Project Administration	30,000
Project Management Support Services	0
ISD Job Order Contract Management	0
DPW Job Order Contract Management	0
ISD ITS Communications	0
Project Security	0
Project Technical Support	0
Office of Affirmative Action	0
County Counsel	0
Other: DPW Construction Inspection	120,000
Sheriff Job Order Contract Management	0
Subtotal	\$160,000
<b>TOTAL</b>	<b>\$2,800,000</b>

DEPARTMENT OF PUBLIC WORKS:  
GENERAL WILLIAM J. FOX AIRFIELD  
PERIMETER FENCING REPLACEMENT PROJECT  
CAPITAL PROJECT NO. 88745

INSTRUCTION SHEET FOR PUBLISHING LEGAL ADVERTISEMENT

From: Department of Public Works  
Construction Division

PUBLISHING

In accordance with Section 20125 of the State Public Contract Code:

Publish: **At least ten consecutive times**, prior to the date set for opening bids, in a daily newspaper of general circulation printed and published in the County and designated by the Board, or for at least two consecutive times prior to such date in a weekly newspaper printed and published in the County and designated by the Board.

Time Limitation: To open bids in 4 weeks.

(First advertisement to be published no later than August 3, 2013)



## NOTICE INVITING BIDS

Sealed bids will be received by the County of Los Angeles Department of Public Works, Construction Division, for the removal and replacement of existing fencing and gates; installation of wireless vehicular gate access controllers; replacement of vehicular gate operators; and the performance of other appurtenant work under Project ID No. APT5080435, General William J. Fox Airfield Perimeter Fencing Replacement Project, in the City of Lancaster.

Pursuant to State Public Contract Code, Section 3400, the Board of Supervisors has made a finding that the wireless vehicular gate access controllers are designated by specific brand name in order to match the gate access controller network at other County airports.

The bids must be submitted at the Cashier's Office, located on the Mezzanine level, 900 South Fremont Avenue, Alhambra, California 91803-1331, no later than 11 a.m. on Tuesday, August 27, 2013. The bids will then be publicly opened and read in the location posted in the main lobby.

The work shall be done in accordance with the Plans and Specifications on file and open for inspection at the Department of Public Works. The work is estimated to cost \$2,200,000 and shall be completed in 95 working days. The work requires a California Class C13 contractor's license at the time of contract award. Pre-bid questions regarding the Plans and Specifications should be directed to Mr. Keegan Fahey of the Construction Division at (626) 458-3190. Pre-bid questions regarding the Plans and Specifications shall be submitted via facsimile only, (626) 979-5450, to the attention of Mr. Fahey. **Pre-bid questions will not be accepted after 5 p.m. on Monday, August 19, 2013.**

The Schedule of Prices in the Proposal consists of a Base Bid, and an additive alternate – Additive Alternate 1. **The summation of the Base Bid and Additive Alternate 1 will be used for comparison of the bids and award of the Contract to the responsible contractor with the lowest responsive bid.** Bidders shall submit prices for both the Base Bid and for Additive Alternate 1. No conditional proposals will be accepted.

**A tour of the area of work is set for Tuesday, August 13, 2013, beginning at 10 a.m. at the project site administration building, 4555 West Avenue G, Lancaster, California 93536 (Thomas Guide page 3924, H-7). Those wishing to participate must arrive promptly before 10 a.m. The tour is anticipated to last until 12 noon. Attendance is not required for award of the contract.**

The bids must be submitted on the proposal forms included in the bidder's package of the contract documents, which may be purchased for \$15 if picked up at the aforementioned Cashier's Office, (626) 458-6959, Monday through Thursday between 7 a.m. and 5:30 p.m., or for \$19 if mailed, which includes postage and handling. The contract documents for this project may also be downloaded free of charge by visiting the following website:

<http://dpw.lacounty.gov/general/contracts/opportunities>

Each bid must be accompanied by a certified check, cashier's check, or surety bond payable to Los Angeles County in an amount equal to at least 10 percent of the bid to guarantee that the bidder will enter into the contract if it is awarded to him.

All persons performing the work shall be paid not less than the General Prevailing Wage Determination prepared by the Director of Industrial Relations pursuant to the State Labor Code. Copies of these wage rates are available at the Department of Public Works.

Furthermore, minimum Davis-Bacon Act Wage Decisions for this Project as predetermined by the Secretary of Labor (Federal) can be found at the following website:

<http://www.wdol.gov/wdol/scafiles/davisbacon/ca33.dvb>

If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the applicable prevailing wage rates per the Director of Industrial Relations for similar classifications of labor, the Contractor and its subcontractors shall pay not less than the higher wage rate.

The rate of compensation for any classification not listed in the schedule, but which may be required to execute the contract, shall be commensurate and in accordance with the rates specified for similar or comparable classifications or for those performing similar or comparable duties.

This project has a goal of 0 percent Disadvantaged Business Enterprise participation.

The County hereby notifies all bidders that it will affirmatively ensure that disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, sex, or national origin in consideration for an award of any contract entered into pursuant to this advertisement.

#### NOTICE TO PROSPECTIVE FEDERALLY ASSISTED CONSTRUCTION CONTRACTORS

1. A Certification of Non-segregated Facilities shall be submitted prior to the award of a federally-assisted construction contract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity Clause.
2. Contractors receiving federally-assisted construction contract awards exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of the following notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity Clause. NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

#### NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENTS FOR CERTIFICATION OF NON-SEGREGATED FACILITIES

1. A Certification of Non-segregated Facilities shall be submitted prior to the award of a subcontract exceeding \$10,000, which is not exempt from the provisions of the Equal Opportunity Clause.
2. Contractors receiving subcontract awards exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of this notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity Clause. NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

#### NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION

1. The bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth herein.
2. The goals and timetables for minority and female participation, expressed in percentage terms for the contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

Goals for Minority  
Participation in  
Each Trade  
28.3%

Goals for Female  
Participation in  
Each Trade  
6.9%

These goals are applicable to all the contractor's construction work (whether or not it is Federal or federally-assisted) performed in the covered area. If the contractor performs construction work in a geographical area located outside of the covered area, it shall apply the goals established for such geographical area where the work is actually performed. With regard to this second area, the contractor also is subject to the goals for both its Federally involved and non-federally involved construction.

The contractor's compliance with the Executive Order and the regulations in 41 CFR Part 60-4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 CFR 60-4.3(a), and its efforts to meet the goals. The hours of minority and female employment and training shall be substantially uniform throughout the length of the contract, and in each trade, and the contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from contractor to contractor or from project to project, for the sole purpose of meeting the contractor's goals, shall be a violation of the contract, the Executive Order, and the regulations in 41 CFR Part 60-4. Compliance with the goals will be measured against the total work hours performed.

3. The contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs, within 10 working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address, and telephone number of the subcontractor; employer identification number of the subcontractor; estimated dollar amount of the subcontract; estimated starting and completion dates of subcontract; and the geographical area in which the subcontract is to be performed.

4. As used in this notice and in the contract resulting from this solicitation, the "covered area" is Los Angeles County.

#### NOTICE OF REQUIREMENT FOR BUY AMERICAN

The successful bidder will be required to assure that only domestic steel and manufactured products will be used by the contractor, subcontractors, materialmen and suppliers in the performance of this contract, except those:

1. that the US Department of Transportation has determined, under the Aviation Safety and Capacity Expansion Act of 1990, are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality;
2. that the US Department of Transportation has determined, under the Aviation Safety

and Capacity Expansion Act of 1990, that domestic preference would be inconsistent with the public interest; or

3. that inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent.

The contract agreement that ultimately results from this solicitation is a "covered transaction" as defined by Title 2 CFR Part 180. Bidder must certify at the time they submit their proposal that neither it nor its principals are presently debarred or suspended by any Federal department or agency from participation in this transaction. The bidder with the successful bid further agrees to comply with Title 2 CFR Part 1200 and Title 2 CFR Part 180, Subpart C by administering each lower tier subcontract that exceeds \$25,000 as a "covered transaction".

The bid must provide full disclosure of False Claims Act violations, labor law/payroll violations, debarments, and civil/criminal legal actions as provided for on the forms included as part of the proposal. Failure to complete these forms may result in a determination that the bidder is nonresponsive and/or not responsible.

The contract, if awarded, will be awarded to a responsible contractor with the lowest responsive bid; however, the Board of Supervisors reserves the right to reject any and all bids. Due to the requirements of the use of Federal and State funds on this project, no Local Small Business Enterprise preference will be applied to this project as defined in County Code 2.204.

A responsible contractor is one who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the contract. It is the County's policy to conduct business only with responsible contractors.

The successful bidder will be required to fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees and comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance throughout the duration of the contract. Failure to comply may be cause for termination of the contract or initiation of debarment proceedings.

The contract is subject to the requirements of the County of Los Angeles' Defaulted Property Tax Reduction Program (Defaulted Tax Program), Los Angeles County Code, Chapter 2.206. Bidders should carefully read the Defaulted Tax Program Ordinance. The Defaulted Tax Program applies to both contractors and their subcontractors.

Bidders will be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of the contract, or

shall certify that they are exempt from the Defaulted Tax Program by completing a certification of compliance with the County's Defaulted Property Tax Reduction Program. In accordance with Los Angeles County Code, Chapter 2.202, failure to maintain compliance with the Defaulted Tax Program or to cure defects within the time specified may be cause for termination of the contract and/or initiation of debarment proceedings against the noncompliant contractor.

Bids that fail to comply with the certification requirements of the Defaulted Tax Program will be considered nonresponsive and excluded from further consideration.

The successful bidder will be required to submit a faithful performance bond, payment bond, and liability and worker's compensation insurance with the contract.

As provided for in Section 22300 of the State Public Contract Code, the contractor may substitute securities for any monies withheld by the Department of Public Works to ensure performance under the contract or enter into an escrow agreement for payment of such monies to an escrow agent.

Each person by submitting a response to this Notice Inviting Bids certifies that such bidder and each County lobbyist and County lobbying firm, as defined by Los Angeles County Code, Section 2.160.010, retained by the bidder, is in full compliance with Chapter 2.160 of the Los Angeles County Code.

Para mas informacion con relacion a esta noticia, por favor llame a este numero (626) 458-3118. Nuestras horas de oficina son de 7 a.m. a 5:30 p.m. de Lunes a Jueves.

The County supports and encourages equal opportunity contracting.

By order of the Board of Supervisors of the County of Los Angeles, State of California.

Dated July 30, 2013.

SACHI A. HAMAI, EXECUTIVE OFFICER  
OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF LOS ANGELES